

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

KEITH HENDERSON,

Plaintiff,

VS.

NURSE JACKSON, et al.,

Defendants.

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CIVIL No: 7:14-CV-0192-HL-TQL

ORDER

Plaintiff **KEITH HENDERSON**, an inmate currently confined at Valdosta State Prison in Valdosta, Georgia, has filed a “Notice of Appeal” from a decision made in a civil case filed in the Superior Court of Lowndes County, Georgia. The United States District Courts do not sit as appellate courts to review state court decisions. See Sitton v. United States, 413 F.2d 1386, 1389 (5th Cir. 1969) (“A federal district court has no original jurisdiction to reverse or modify the judgment of a state court.”); Harper v. Chase Manhattan Bank, 138 F. App’x 130 (11th Cir.2005) (“[A] federal district court lacks jurisdiction to review, reverse, or invalidate a final state court decision.”). The Court therefore finds Plaintiff’s pleading to be frivolous. His Motion to Proceed *in forma pauperis*¹ (Doc. 2) and Motion for Counsel (Doc. 5) are **DENIED**; and his pleading is **DISMISSED**. See 28 U.S.C. § 1915; 29 U.S.C. § 1915A. If Plaintiff is dissatisfied with a state court decision, the appropriate forum for review is the state appellate court.

¹ As Plaintiff is aware, he is a “three striker,” see Henderson v. Graham, 3:12-cv-85-BAE-BRS (S.D. Ga. Oct. 11, 2012) (listing cases), and may not proceed in a § 1983 action unless he either pays the entire \$400.00 filing fee or can demonstrate that he is in imminent danger of serious physical injury. See 28 U.S.C. § 1915(g). Plaintiff has done neither. His Complaint can thus also be dismissed on this ground.

SO ORDERED this 16th day of December, 2014.

s/ Hugh Lawson

Hugh Lawson, Judge

UNITED STATES DISTRICT COURT

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